

REMARKS

The Office Action mailed November 30, 2006 has been reviewed and carefully considered. Claims 1-30 are pending. No new matter has been added.

Claim 1 currently stands rejected under 35 U.S.C. §103(a) in view of United States Patent No. 5,683,648 to Fortin, et al. (hereinafter, "Fortin"). The applicant respectfully traverses the Examiner's rejection of this independent claim.

At the outset, the applicant respectfully disagrees with the Examiner's characterization of the term "optical quality." In particular, the Examiner has stated that "The article of Fortin was optically transparent, and would thus have inherently had optical qualities over portions of the article, or the entire article." The applicant respectfully draws the Examiner's attention to page 14, lines 4-9 of the present application, which state:

"Optical quality is characterized by: low sphere measurements having a mean of -0.01 diopters and a standard deviation of 0.03; low cylinder measurements having a mean of -0.01 diopters and a standard deviation of 0.03; and a low prism measurement having a mean of 0.11 diopters and a standard deviation of 0.01. A further characterization of optical quality consists of a R₁ Radius having a mean of 87.26 mm with a standard deviation of 2.55 mm, and a difference in radii of 4.37 mm with a standard deviation of 2.07."

Thus, optical quality, when interpreted in light of the specification, refers to the surface quality characteristics and relative curvature of the lens carrier. Thus, it can be seen that the transparency or clarity of the material forming lens carrier is not considered under the present principles. The applicant asserts that the only precision molding that may conceivably take place using the teachings of Fortin, would be in the portion of the plastic article clamped between the two mold pieces. However, such compression molding is inconsistent with the preamble of claim 1, which recites "[a] method for thermoforming a thin thermoplastic carrier".

The Examiner has also stated that "Fortin would have inherently or obviously produced an article having a uniform or substantially uniform thickness over portions of the article, or the

entire article.” The applicant respectfully traverses this assertion. Fortin is directed to a stretch-blow molding apparatus. As is known to the art, the process of stretch-blow molding involves first *stretching* a plastic sheet, and then blowing the sheet to fill a mold. Initially, the applicant respectfully asserts that there would be no motivation to refer to Fortin to develop the present principle. The stretch-blow molding process taught by Fortin is well known to the art to produce containers capable of withstanding high internal pressures. Polyethylene-Terephthalate (PET) plastics are used almost exclusively in the stretch-blow molding process due to the fact that the stretching strengthens the body of the container. Even a practitioner well versed in the art of plastic molding would not have a motivation to look to Fortin when seeking to form a uniform thickness, thin, optical quality lens carrier.

As can be seen from FIG. 22, a plastic sheet is clamped in the center from both sides, and then mechanically stretched by moving the two piece mold, in a process described as “plug-assisted blow forming process.” The stretching process necessarily causes the sides of the molded article to be drawn thinner than the clamped central region. Thus, Fortin cannot result in an article with uniform thickness since the purpose of the plug-assisted process is to provide a “defined area of unoriented thermoplastic in the bottom section.” (Col. 28, lines 65-66)


Claim 1, as currently amended, recites that “said low pressure air stream thermoforming said plastic sheet.” Since Fortin provides a thick, unoriented bottom section, and a thin side wall, it is directed to plastic articles of two distinct thicknesses. The applicant respectfully asserts that Fortin is therefore teaching away from purely thermoforming optical carriers of uniform thickness.

Claims 2-30 depend from claim 1, and include the same features and limitations recited in independent claim 1. Thus, claims 2-30 are patentable over Fortin for at least the reasons stated above for claim 1. The applicant, therefore, respectfully requests the withdrawal of the Examiner’s rejections for at least the same reasons as stated for claim 1.

Office Action dated: November 30, 2006

In view of the foregoing, Applicants respectfully request that the rejection of the claims set forth in the Office Action of November 30, 2006 be withdrawn, that pending claims 1-30 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

Respectfully submitted,

By: 
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